

REMARKS

This amendment is in response to the Final Office Action mailed March 22, 2007. Claims 1, 6, 8, 14, 27, 28, and 30 have been amended and claims 29, 35, 37, and 38 have been canceled without prejudice. Claims 1, 3, 4, 6, 8, 9, 12-17, 19, 21, 27, 28, 30-34, and 36 are presently pending. No new matter has been added.

The Applicants thank the Examiner for indicating that Claim 35 contains allowable subject matter and would be allowable if rewritten in independent form. Each of the independent claims 1, 6, 8, 14, 27, 28, and 30 has been amended to include the concept of continuously determining a channel state of the set top box and ensuring it matches a desired channel state as recited in claim 35. The Applicants respectfully request entry of this amendment because it places the patent application in condition for allowance.

§103 Rejections

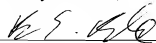
Claims 14, 19, 21, 27-32, 34, and 38 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,469,634 to Williams et al. ("Williams") in view of U.S. Patent No. 5,303,063 to Kim et al. ("Kim"). Claims 1, 3, 4, 6, 8, 10, 12, 36, and 37 were rejected under 35 U.S.C. §103(a) as being unpatentable over Williams in view of U.S. Patent No. 5,305,464 to Frett ("Frett") and further in view of Kim. Claims 15, 16, and 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Williams in view of Kim and further in view of Frett. Claims 9, 13, and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Williams in view of Frett and Kim and further in view of U.S. Patent No. 6,097,302 to Zinzell ("Zinzell"). Applicants traverse these rejections.

Each of the independent claims 1, 6, 8, 14, 27, 28, and 30 has been amended to include the concept of continuously determining a channel state of the set top box and ensuring it matches a desired channel state as recited in allowable claim 35. None of the cited references teach or suggest this arrangement as acknowledged by the indication of allowability of claim 35 as recited on page 12 of the pending Office Action. For at least these reasons, the Applicants request withdrawal of the rejections of the pending claims of the present patent application.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If the Examiner has any questions or concerns, the Applicant encourages the Examiner to contact the Applicant's representative, Bruce Black, by telephone to discuss the matter.

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Respectfully submitted,

By 
Bruce E. Black

Registration No.: 41,622
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(206) 262-8900
(212) 527-7701 (Fax)
Attorneys/Agents For Applicant